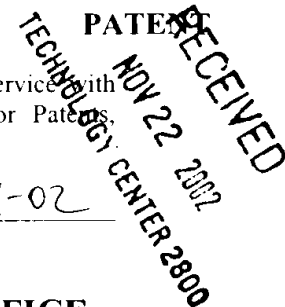


Attorney Docket No.: COAD-004/01US

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on NOVEMBER 14, 2002.

By: Hanna Hacham 11-14-02

Hanna Hacham



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Jack R. KELLY, et al.

Serial No.: 10/007,326

Examiner: Not yet assigned

Confirmation No.: 2028

Art Unit: 2874

Filed: December 5, 2001

For: **APPARATUS AND METHOD FOR CONTROLLING OPTICAL GAIN PROFILES**

Commissioner for Patents  
Washington, D.C. 20231

### SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☒ A return receipt postcard is also enclosed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: NOV. 13, 2002

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663  
WSG/hh

Respectfully submitted,  
COOLEY GODWARD LLP

By: [Signature]

William S. Galliani  
Reg. No. 33,885

Attorney Docket No.: COAD-004/01US

PATENT

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on NOVEMBER 14, 2002.

By:

Hanna Hacham

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**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) P9 and P10 listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to application serial no. PCT/US02/21801 and mailed on September 18, 2002.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

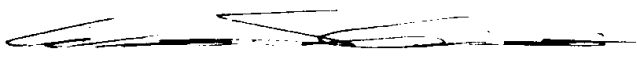
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: Nov. 13, 2002

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663  
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